

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith, which place the application into condition for allowance. The present response is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 34-67 and 70-76 are pending in this application. Claims 34 and 59 are independent. Claims 1-33, 68 and 69 have been canceled without prejudice or disclaimer of subject matter.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 34, 35, 37, 38, 40-46, 48, 52-54, 56, 58, 59, 61-67 and 72-76 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,479,206 to Ueno et al. (hereinafter, merely "Ueno") in view of U.S. Patent No. 6,161,933 to Tschida, et al. (hereinafter, merely "Tschida"). Claims 39 and 60 were 76 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Ueno in view of Tschida and further in view of U.S. Patent No. 6,480,671 to Takahashi et al. (hereinafter, merely "Takahashi").

Applicants respectfully submit that Tschida has a PCT filing date of July 14, 1997. The present application, on the other hand, is entitled to the benefit, under 35 U.S.C. §119, of Japanese application 9-106946 filed on April 24, 1997 in Japan. An acknowledgement of such claim of priority and receipt of the priority document is provided on the summary sheet of the outstanding Office Action.

Enclosed herewith is a Certified English Translation of the priority documents.

Accordingly, Applicants submit that Tschida is not qualified as prior art in a rejection under 35 U.S.C. §103(a), and thus all of the outstanding rejections based upon Tschida in the outstanding Office Action are overcome.

In view of above statements, withdrawal of the rejection of claims 34, 35, 37, 38, 40-46, 48, 52-54, 56, 58, 59, 61-67 and 72-76 under 35 U.S.C. §103(a) is respectfully requested.

Furthermore, although the applicants have asserted that Tschida is not an effective reference against the present application, such assertion is not a representation concerning distinctions and/or similarities between the present invention and Tschida. Applicants reserve their right to traverse any further rejection that may be presented on a similar document and having an earlier effective date.

Furthermore, Applicants submit that Ueno does not provide the disclosure missing in Tschida.


CONCLUSION

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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